

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

JEREMY CARRUTH

PLAINTIFF

V.

CASE NO. 3:06CV00181 BD

**MICHAEL J. ASTRUE,
Commissioner,
Social Security Administration**

DEFENDANT

ORDER

Plaintiff has moved for an award of attorney's fees and expenses (docket entry #18) under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. He requests fees in the amount of \$3,392.70 and expenses in the amount of \$13.95. The Commissioner has responded to the fee request (#20). The Commissioner does not object to the amount requested by Plaintiff in attorney's fees and expenses.

Under 28 U.S.C. § 2412(d)(1)(A), the court must award attorney's fees to a prevailing social security claimant unless the Commissioner's position in denying benefits was substantially justified. The Court finds that Plaintiff is entitled to attorney's fees. In addition, the Court finds that the total amount requested by Plaintiff is appropriate under the EAJA. Accordingly, the Court GRANTS Plaintiff's motion for attorney's fees and expenses under the EAJA (#18) and hereby awards \$3,392.70 in fees and \$13.95 in expenses.

IT IS SO ORDERED, this 22nd day of April, 2008.

A handwritten signature in black ink, appearing to read "P. J. ...", is written above a horizontal line.

UNITED STATES MAGISTRATE JUDGE